

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 548 - SB 570**

February 3, 2023

**SUMMARY OF BILL:** Creates a Class A misdemeanor offense to possess a device, tool, machine, implement, or other item capable of programming a smart key or key fob with the intent to use it or allow it to be used to commit theft.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- It is assumed that discovery of the possession of such an item will, in almost all cases, be made in association with the commission of other crimes, most notably theft.
- Pursuant to Tenn. Code Ann. § 39-14-105(a), the minimum penalty for any type of theft is a Class A misdemeanor.
- In addition, pursuant to Tenn. Code Ann. § 39-14-701, it is a Class A misdemeanor offense to possess any tool, machine, or implement with intent to use the same or allow the same to be used to commit any burglary.
- Given these considerations, it is assumed that the proposed legislation will not result in a significant number of additional Class A misdemeanor convictions, and thus will not be responsible for a significant increase in local expenditures related to incarceration.
- Based on information provided by the Administrative Office of the Courts, any increase in the caseloads of trial courts is assumed to be not significant and can be absorbed within existing judicial resources.
- Any fiscal impact to state or local government is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director